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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 CHARLES A. KINSEY,

No. C-12-1167 TEH (PR)

12 Plaintiff,

ORDER OF DISMISSAL

13 v.

14 MATTHEW CATE, et al.,

15 Defendants.
16 _____/

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18 On March 8, 2012, Plaintiff filed this pro se civil rights
19 action pursuant to 42 U.S.C. § 1983. Doc. #1. That same day, the
20 Court Clerk notified Plaintiff in writing that his action was
21 deficient because he had neither paid the requisite \$350.00 filing
22 fee nor submitted a signed and completed court-approved in forma
23 pauperis application. See 28 U.S.C. § 1915(a)(2). Doc. #2.
24 Plaintiff was advised that failure to file the requested items
25 within thirty (30) days would result in dismissal of the action.
26 Doc. #2. On April 4, 2012, the Court granted Plaintiff an extension
27 of time to either pay the filing fee or file a complete in forma
28 pauperis application. Doc. #5. The deadline has passed, and

1 Plaintiff has not paid the filing fee, filed a complete in forma
2 pauperis application or explained his failure to do so.
3 Accordingly, this action is DISMISSED WITHOUT PREJUDICE. See Fed.
4 R. Civ. P. 41(b). The Clerk shall terminate any pending motions as
5 moot and close the file.

6 IT IS SO ORDERED.

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8 DATED 05/09/2012



THELTON E. HENDERSON
United States District Judge

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